

## **FOREWORD**

This "Ready-to-List and Construction Contract Award Guide" (RTL Guide) is published by the Division of Engineering Services-Office Engineer (DES-OE) to establish uniform procedures, define responsibilities, and provide guidance for preparing construction contract documents. Uniformity is essential in order to ensure conformity with State and federal requirements and policies.

This RTL Guide supersedes the previously published "Plans, Specifications, and Estimate Guide." This Guide adds to the scope of the previous "PS&E Guide" by comprehensively describing the requirements to achieve the Ready to List (RTL) milestone. Similarly, the new "RTL Certification" form presented in this Guide supersedes the previous "Attachment A" document.

DES-OE has also established a new operational "Service Level" that enables projects that have been brought to the RTL milestone to be submitted to DES-OE for immediate listing for advertisement. This new Service Level configuration is compatible with Statewide QC/QA (Quality Control / Quality Assurance) implementation goals.

Preparation and submittal of PS&Es or contract documents at the RTL milestone for Department projects shall conform to this Guide, the Plans Preparation Manual, the Standard Plans, the Standard Specifications, the Standard Special Provisions (SSPs) and their instructions, and other relevant Departmental guidance.

## **RTL AND CONSTRUCTION CONTRACT AWARD GUIDE PURPOSE AND OVERVIEW**

### **INTRODUCTION**

The Ready-to-List and Construction Contract Award Guide (RTL Guide) describes activities, roles and responsibilities required to complete project Plans, Specifications and Estimate, to advertise, open bids, and award the construction contract.

This RTL Guide should be used to process projects as defined by Section 10105 of the Public Contract Code, which currently includes roadway, structure, and building projects with a total cost over \$120,000. The RTL requirements apply to all projects on State highways regardless of funding source.

The RTL Guide requires the Project Engineer (the Engineer of Record signing and sealing the Title Sheet on the Plans) to certify that a project is RTL. This is to ensure that all applicable design, right of way, environmental, regulatory, and statutory conditions have been addressed in the plans, specifications, and estimate. By exercising responsible charge in certifying the project as RTL, the Engineer of Record either personally performs the work or has validated the qualifications of any contributing technical specialists and the applicability of their work (per the Board for Professional Engineers and Land Surveyors California Code of Regulations, Title 16, Division 5, §§ 400-474.5).

This RTL Guide should be used by the Project Engineer, and others involved in project delivery, to complete final Plans, Specifications, and Estimate (PS&E), produce, advertise, open bids, and award construction contracts.

### **GENERAL**

Section 10120 of the Public Contract Code (part of the State Contract Act) states, "Before entering into any contract for a project, the Department shall prepare full, complete, and accurate plans and specifications and estimates of cost, giving such directions as will enable any competent mechanic or other builder to carry them out." The purpose of this Guide is to provide a useful tool to accomplish our mutual goal to advertise legal, cost effective contracts that are biddable and buildable.

In the Public Contract Code section cited above, the terms "full, complete, and accurate" can be defined as follows:

- "Full" means that all existing and proposed elements necessary to bid and build the project within scope are included.
- "Complete" means that all elements are detailed.

- "Accurate" means that all elements comply with statutory and departmental requirements, field conditions are correctly depicted, and the Plans, Specifications, and Estimate are consistent.

Contracts can only be advertised after policy, statutory, and regulatory requirements are completed. The district must complete these requirements, working in conjunction with DES-OE, other Project Delivery Divisions, and, if required, by the Federal Highway Administration (FHWA) before DES-OE considers placing them on a list of projects proposed for advertisement. The Department's Project Management Directive 006, "Project Change Requests," defines RTL as follows:

"To qualify a project as 'Ready to List', the project must have all clearances and approvals necessary to advertise a project. This includes having all permits, agreements, appropriate Right of Way certification, and FTIP (Federal Transportation Improvement Program) approval. If new requirements are identified during processing, the project may be delayed, putting delivery at risk while issues are resolved."

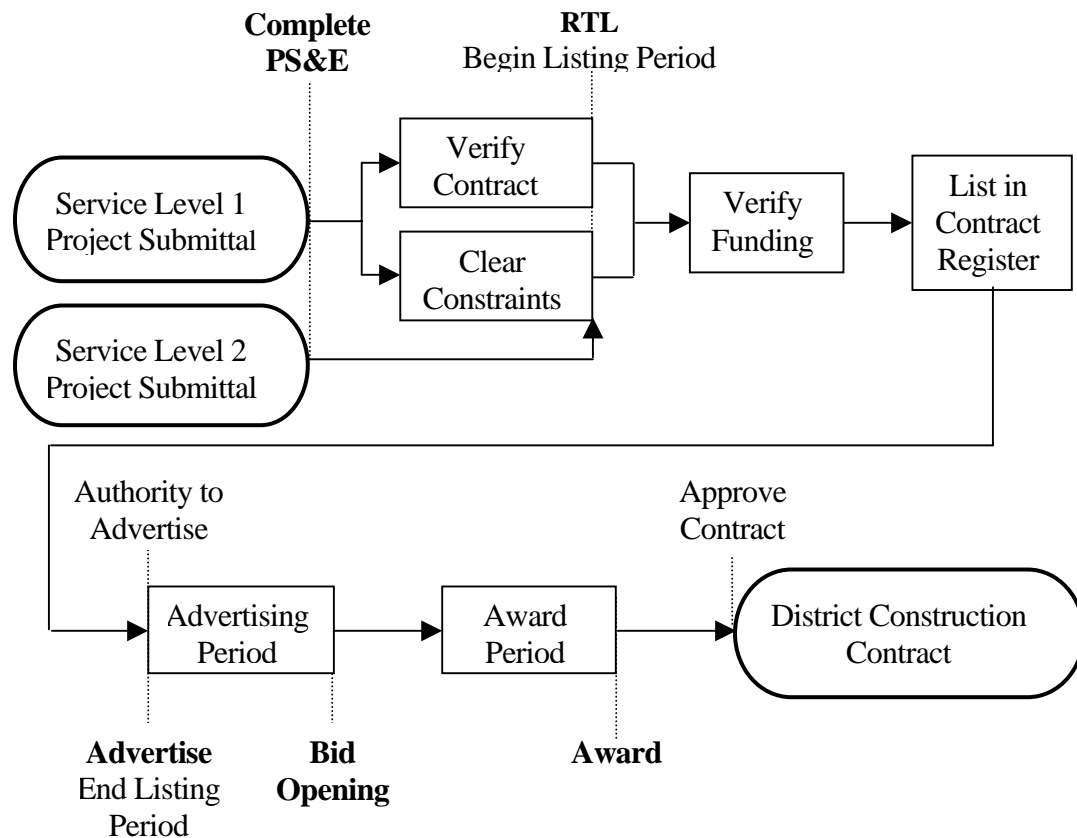
Projects are advertised when they are RTL and fully funded. Once advertised, contracts proceed to bid opening, award, and approval. DES-OE has the primary responsibility for these tasks with input from the districts and Divisions. To complete the award process, funds must be sufficient to provide the total cost based on the bid amount. In addition, the contractor must be validated as the lowest responsible bidder according to the appropriate policies, statutes, and regulations governing State and federal contracts.

This RTL Guide has been developed in concert with FHWA to verify completion of various federal requirements. A thorough understanding of the Department/FHWA Stewardship Agreements is encouraged to fully comprehend the level of FHWA involvement and requirements. This Agreement may be accessed at:  
<http://www.fhwa.dot.gov/cadiv/docs/stewardship.htm>

## RTL PROCESS OVERVIEW

**Figure A** is an overview of the sequence of activities and their associated milestones. Each activity and milestone is discussed below. **Bold text** in the figure and the process definitions indicate milestones.

**Figure A**  
**RTL Process**



## RTL PROCESS DEFINITIONS

**Complete PS&E:** The District submits full, complete, and accurate (ready) PS&E package, except any modifications due to pending constraints. See Section 3, "Roles and Responsibilities," related to RTL.

**Verify Contract:**

1. Draft Contract Comments – DES-OE or District Office Engineer (DOE) verifies the fullness, completeness, and accuracy of the district PS&E. Contract documents are drafted based on DES-OE or DOE review in a format that a competent mechanic can bid and build (biddable and buildable).
2. District Response – District addresses draft contract comments.
3. Draft Contract Ready – DES-OE or DOE finalizes the contract documents for advertisement.

Clear Constraints: District meets all R/W requirements (Certification), Environmental requirements (Certification), FHWA requirements, and Design requirements on the RTL Certification.

Verify Funding: DES-OE or district verifies that all funds necessary for construction are ready for encumbrance, i.e., the California Transportation Commission (CTC) has voted funding, Division of Maintenance has committed funding, Legal Division has signed any cooperative agreements and cooperative agreement numbers assigned, and the Division of Local Assistance has provided a Finance Letter.

List in Contract Register: Per Government Code Section 14827.2, DES-OE lists the project in the California State Contract Register before advertisement. During the listing period the contract documents are prepared for publishing, goals are established for Disadvantaged Business Enterprise (DBE) and Disabled Veterans Business Enterprise (DVBE) participation, and approval to advertise is obtained from FHWA.

Advertise: DES-OE approves advertisement, and the contract bid documents are made available to bidders.

Award: DES-OE determines the lowest responsive and responsible bidder and awards the contract. After contract award, the contractor executes the contract and it is approved by Legal Division. This process normally takes 10 working days.

## RTL GUIDE ORGANIZATION

This Guide is organized into the following Parts, Sections and Appendices:

- **Part 1** describes the RTL process, and contains the requirements for RTL certification and subsequent DES-OE operations. This Part defines the general roles and responsibilities of the personnel involved in that process.
- **Section 1** describes the requirements for RTL, and provides instructions for completing each of the sections within the RTL Certification Form.
- **Section 2** defines "RTL Certification," and describes the procedure for completion and submittal of the RTL Certification Form.

- **Section 3** describes the services provided by DES-OE to assist districts in completing RTL requirements.
- **Section 4** describes the DES-OE services in listing, advertising, opening bids, awarding, and approving construction contracts.
- **Part 2** is composed of **Sections 5 through 15** and is based on updated and revised information from the previous "PS&E Guide." These sections describe in detail the policies, procedures, roles, and responsibilities for delivery activities involved in final PS&E validation, draft contract development, contract advertisement, bid opening, and award. These sections supplement other Department manuals and reference materials.
- **Appendices A through D** are respectively:
  - "DES-OE Organization and Contacts,"
  - "Forms and Miscellaneous Information,"
  - "Definition of Acronyms," and
  - "Websites."
- **Appendix E** is the PS&E Submittal Cover Memorandum
- **Appendix F** is the RTL Certification Form